THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.9479 of 2007

Dated: 01-05-2007

Between:

B. Venkateswara Rao.

..... PETITIONER

AND

The District Collector (Panchayat Wing), Nizamabad District, and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.9479 of 2007

ORDER:

The petitioner gave a representation dated 29.03.2007 to third respondent, namely, the Madnal Parishad Development Officer (MPDO), Varni Mandal, Nizamabad District, under Section 156(2) read with Section 22 of the Andhra Pradesh Panchayat Raj Act, 1994 (the Act, for brevity) by participating in the tenders called for by the Andhra Pradesh State Wakf Board in respect of Dargah Hazarath Syed Sadullah Hussaini situated at Bada Pahad, Varni Mandal, Nizamabad District. Alleging that appropriate action was not initiated in accordance with Section 22 of the Act and report was not sent by MPDO to second respondent, namely, the Chief Executive Officer (CEO), instant writ petition is filed.

The learned standing counsel for respondents 1 to 3 submits that the enquiry has already

been initiated and the matter is referred to CEO. He, however, does not dispute that MPDO has to send a report to CEO, who then will intimate to the petitioner as well as fourth respondent about the alleged disqualification. Therefore, without expressing any opinion on the question whether fourth respondent incurred disqualification by getting contract allotted by the Andhra Pradesh State Wakf Board, this writ petition is disposed of observing that MPDO should send a report to CEO within a period of ten days from the date of receipt of a copy of this order. After receiving such report, CEO shall send necessary communication/intimation to the petitioner and fourth respondent, who then depending on the circumstances may approach the District Court for final decision. No costs.

(**V.V.S.RAO, J**)

01st May, 2007
ghn